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OCT 07 2005

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**FACSIMILE TRANSMITTAL SHEET &
CERTIFICATE OF TRANSMISSION UNDER 37 CFR §1.8**

**TO: Mail Stop RCE
Assistant Commissioner of Patents
United States Patent and Trademark Office**

Attn: Examiner Robyn Kieu Doan
Fax No. 571-273-8300
Phone No. (703) 306-9182

*I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office on **October 7, 2005**, to the above-identified facsimile number.*

 (Signature)

FROM: Michael J. Sambrook
Fax No. (513) 626-1355
Phone No. (513) 626-2269

Listed below are the item(s) being submitted with this Certificate of Transmission:

- 1) RCE Transmittal;
- 2) Transmittal for Response/Amendment;
- 3) Amendment (8 pages).

Number of Pages Including this Page: 11

Application No.	:	10/678,206
Applicant(s)	:	Keith Colacioppo et al.
Filed	:	10/03/2003
Title	:	Hair Treatment Applicator
TC/A.U.	:	3732
Examiner	:	Robyn Kieu Doan
Conf. No.	:	2120
Docket No.	:	9049
Customer No.	:	27752

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IN THE UNITED STATES PATENT & TRADEMARK OFFICE
RESPONSE/AMENDMENT

Mail Stop RCE
COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith is an AMENDMENT for the patent application:

Application No. : 10/678,206
Applicant(s) : Keith Colacioppo et al.
Filed : 10/03/2003
Title : Hair Treatment Applicator
TC/A.U. : 3732
Examiner : Robyn Kieu Doan
Conf. No. : 2120
Docket No. : 9049
Customer No. : 27752

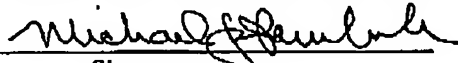
1. ☐ No additional fees (claims fees or extension fees) are known to be required.
2. ☒ The fee has been calculated as shown below:

	(Col. 1)		(Col. 2)	(Col. 3)	OTHER THAN A SMALL ENTITY	
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA*	RATE	FEE
TOTAL	* 3	MINUS	** 20	= 0	x \$ 50 =	\$
INDEP.	* 3	MINUS	*** 3	= 0	x \$200 =	\$
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM					+ \$360 =	\$
TOTAL						\$

3. ☒ The Commissioner is hereby petitioned under 37 CFR §1.136(a) to grant any extension of time needed for timely response to the Office Action dated 06/13/2005 in the above-identified application to preserve pendency of said application. The processing fee under 37 CFR §1.17 has been determined as follows: \$120.00 for a 1-month extension of time.
4. The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 16-2480. A duplicate copy of this sheet is attached.
 - a. ☒ Any patent application processing fees under 37 CFR §1.16.
 - b. ☒ Any patent application processing fees under 37 CFR §1.17.
5. The Director is hereby authorized to make any additional copies of this sheet needed to accomplish the purposes provided for herein and to charge any fee for such copies to Deposit Account No. 16-2480.

THE PROCTER & GAMBLE COMPANY

By



Signature

Michael J. Sambrook

Date: October 7, 2005

Customer No. 27752

Typed or Printed Name

Registration No. 56,746

(513) 626-2269

OCT 07 2005

Appl. No. 10/678,206
Atty. Docket No. 9049
Amdt. dated 10/07/2005
Reply to Office Action of 06/13/2005
Customer No. 27752

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/678,206
Applicant(s) : Keith Colacioppo et al.
Filed : 10/03/2003
Title : Hair Treatment Applicator
TC/A.U. : 3732
Examiner : Robyn Kieu Doan
Conf. No. : 2120
Docket No. : 9049
Customer No. : 27752

SUBMISSION OF AMENDMENT WITH FILING OF RCE

Mail Stop RCE
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This paper is being filed in response to the Final Office Action of June 13, 2005, and the Advisory Action of September 30, 2005. A corresponding Request for Continued Examination under 37 CFR § 1.114 is also being filed. A Notice of Appeal was filed via facsimile on September 13, 2005. Accordingly, the Request for Continued Examination that accompanies this paper is believed to withdraw this application from appeal. Further, the Commissioner is hereby petitioned under 37 CFR § 1.136(a) for a One-Month extension of time. Thus, the filing of this paper and the Request for Continued Examination is believed to be timely up to and including October 13, 2005. If, however, additional fees for extension are due to make this filing proper, the fees should be charged to Deposit Account No. 16-2480 in the name of The Procter & Gamble Company. Reconsideration is respectfully requested in light of the remarks contained herein.

Amendments to the Claims begin on page 2 of this paper.

Remarks begin on page 4 of this paper.